

Minutes of the February 25, 2011 Regular Council Meeting

Call to Order and Flag Salute at 3:30 pm by Mayor Serio.

Council in Attendance: Serio, Carmean, Bunting, Smallwood, Tingle, Langan and Weistling
Absent: None

President's Report

- Mayor Serio announced that the Parks and Recreation Task Force met on Saturday, February 12, 2011 to begin planning uses for the parkland on West Cannon Street and to establish a time table for development. Development timeline will depend on whether the property will be used for storing Public Safety Building construction equipment or not. Possible uses cited: parkland featuring native and natural plants; benches for reading; demonstration rain garden; kayak launch.
- Work on a preliminary budget for FY12 has begun; meetings will be scheduled soon.

Topics for Discussion and Possible Action

- Vendor Selection for Photovoltaic System – Mayor Serio
Council has reviewed all bids and selected the most appropriate bids for further consideration. Town Manager Abbott will contact those bidders for further clarification of bid items. Council must decide on a vendor no later than September 2011.
- Public Safety Building Schedule – Council Members Weistling and Langan
Council Member Weistling asked Council to consider alternative schedules regarding the timeframe for bids and construction:
 - 1) It may be possible to begin construction by May 2011 provided drawings are received soon.
 - 2) Proceed with bids once drawings are provided with construction to begin September 2011. It may be difficult for bidders to establish material costs with such a long time between bid and construction. Bids may be higher due to an anticipated increase in construction costs in the fall. A successful bidder could, however, purchase materials now and store off-site pending the September start time. The primary advantage of this option would be that the Town would have a firm idea of the cost and could request architectural changes to decrease the cost to the Town.
 - 3) Review drawings and put out for bid in late summer for a Fall 2011 start.

DISCUSSION

Council Member Langan expressed disappointment that the plans/drawings are not ready and he anticipates a delivery date of early March 2011. He added that space for the lifeguards will be included in the drawings and that several ideas (hose bib, electrical outlet, drainage for a rain garden) have been added to the plans as a result of the recent Parks and Recreation *ad hoc* Committee meeting. Mr. Langan has asked Building Official Schuchman to review the plans.

Chief Boyden met with Delaware State Police IT department regarding the plans. IT suggested a dedicated “mechanical room” to house IT cables, etc. IT recommends data ports throughout the building and installation of a “220” line for future use. They also recommend shelving units in the mechanical room and a separate A/C unit and duct for that room since it will get warm from all of the equipment.

Motion to not begin building until September 2011 – Council Member Carmean
Second – Council Member Bunting

DISCUSSION

Council Member Smallwood noted that summer is not a good time to build; Council Member Carmean expressed concern over the impact of a summer building project on the Cannon Street residents. Council Member Bunting suggested putting the project out to bid in July to begin building in the fall; Council Member Tingle suggested getting the bids out as soon as the drawings are ready with construction to begin in the fall.

VOTE: (7-0)

Motion to not begin building until September 2011 passed.

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Motion to put out for bid as soon as drawings are complete and reviewed with construction to begin immediately after Labor Day – Council Member Weistling

Second – Council Member Langan

DISCUSSION

Council Members agreed that it is a good idea to go slowly with the project

Vote: (7-0)

Motion to put out to bid as soon as drawings are complete and reviewed with construction to begin after Labor Day passed.

Approval of Minutes:

Motion to Approve the Minutes of January 28, 2011 Meeting - Council Member Weistling

Second: Council Member Bunting

DISCUSSION

Council Member Langan requested that the minutes be changed as follows:

- Public Safety Building – Council Member Langan advised that the Town is working with the architectural engineering firm to adjust schematic **complete working drawings. They should be complete** ~~Results should be ready~~ mid-February at which time the plans will be put out to bid. Mayor Serio requested that Mr. Langan determine if the vacant lot on Cannon Street will be needed to store construction equipment. **Mr. Langan advised on February 25, 2011 that the lot will be needed.**

Vote: All in favor to Approve Minutes with Changes (7-0)

Minutes Approved with Changes

Treasurer's Report:

Council Member Bunting noted that the financial report is included in the council meeting packet. The Town is showing better financial figures than it did at this same time last year. The Fenwick Island Police Department figures will be adjusted to reflect correct posting of items.

Motion to Accept the Treasurer's Report - Council Member Tingle

Second - Council Member Carmean

DISCUSSION

Council Member Carmean questioned Comcast Cable Fees that appear to be less than anticipated. Town Manager Abbott reported that the fees are paid on a quarterly basis and are, in fact, less than anticipated. Comcast overpaid in the past due to overcharges for subscribers outside Town limits and has made the correction this year.

Vote: All in favor (7-0)

Treasurer's Report accepted.

Town Manager Report:

- Town Manager Abbott reported that he has completed all necessary annual reports.
- Mr. Abbott attended a recent Ocean City, MD Emergency Management meeting in an effort to coordinate emergency activities with them.
- Public Works continues its NIMS training.
- Five (5) firms attended the pre-bid meeting for the Town's Trash Collection contract.

DISCUSSION

Council Member Carmean asked Mr. Abbott to address the Town's policy regarding yard waste collection. Mr. Abbott reported that information regarding yard waste has been posted on the Town website and is available at Town Hall. Some collectors/collection stations are not accepting yard waste without a pre-purchased tag. These may be purchased on line from DSWA or by calling DSWA's Citizens' Response Line 1-800-404-7080. For more information about the DNREC drop-off locations please call 302-739-9403 or visit www.dnrec.delaware.gov/yardwaste. Collection fee is \$1.00 per bag. It was noted that this may change several times and citizens should stay alert to notices.

Department Reports:

- Building Official – Pat Schuchman noted that her report is included in the council packet.

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- Public Works: Mr. Abbott noted that the report is included in the council packet.
- Fenwick Island Police Department: Chief of Police Boyden noted that his department report in the Council packet. He advised that CPL. Trudy Schuyler will be out beginning in March for an extended period of time. CPL Stephen Majewski has been awarded the Valor Award by the Freeman Foundation.

Committee Reports:

- Beach Committee –No report
- Environmental Committee –Council Member Carmean advised that the committee continues to review its goals and objectives. A link to DNREC and its water quality reports will be placed on the Town website. The committee addressed how to handle wildlife especially fox. The current cost to trap a fox is \$300. People are urged to avoid contact with the animals.
- Public Safety Building – Nothing more to add

Planning Commission: Report is in the Council packet.

Charter & Ordinance – Nothing more to add

Old Business - None

New Business – No Action to be Taken

- Annual Dune Grass Planting – Council Member Smallwood announced that the Annual Dune Grass Planting will take place on Saturday, March 26, 2011. Sign up forms are attached to the council packets for today's meeting or participants can sign up on line. Mr. Smallwood stressed that the area of concentration will be from Atlantic to Lewes Street.
- Council Member Smallwood requested assistance for a property owner who will need a long-term rental. Please contact him if there is one available.

Public Participation:

- Peter Frederick (1605 Bunting Ave) – asked if dredging/beach replenishment will be done in time to plant the dune grass and, if not, could DNREC deliver the grass to the Town so it can be planted later. Council Member Smallwood was not sure if beach replenishment would be done by March 26; the grass must be planted now because it may not live if stored for too long.
- Buzz Henifin (48 Windward Way) – noted that the wind has caused sand to build up on the beach and dunes. Mayor Serio advised that she doesn't believe the dunes are affected by the beach replenishment; however, Council Member Smallwood will follow up with DNREC's Jennifer Wheatley to make sure that is the case.
- Peter Frederick (1605 Bunting Ave) – asked if Council would consider purchasing fencing for the dunes. Mayor Serio advised that DNREC will not allow the town to construct dune fencing; DNREC must provide the labor for that.
- Lynn Andrews (1205 Schulz Rd) – asked the reason for trying to trap the fox. Council Member Carmean advised that the committee didn't suggest getting rid of the fox but was concerned for the public safety. Foxes do provide a service by ridding the area of small animals but they also carry disease. Buzz Henifin suggested that the fox population be monitored so that it does not increase.
- Dick Bowman (7 W Dagsboro St) – expressed his belief that another service will be added in order to accommodate the State mandate for yard waste disposal. Mayor Serio advised that the Town Trash Contract will include this service.
- Buzz Henifin (48 Windward Way) – thanked the Town for placing the meeting packet on line for download prior to the meeting. He also advised that the Town should not allow dates to slip for architectural plans for the Public Safety Building. Mr. Henifin questioned the procedure for collection of yard waste and asked if the Public Works Department might do the collection and if the cost of collection by the trash hauler will cause an increase in the fees. Mayor Serio noted that Public Works Department staffing is

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fewer than in the past and that the Town will still need to meet requirements for disposal methods. It will be included in the Trash bid and fees may be adjusted accordingly.

- Buzz Henifin continued – by questioning the FIPD grant of \$3000 for drug enforcement. Chief of Police Boyden advised that the funds are used for overtime purposes. Currently the FIPD has four (4) full time and five (5) part time sworn officers resulting in 99% coverage for the Town.
- Peter Frederick (1605 Bunting Ave) – asked if the Town would consider purchasing a mulching machine as a possible solution to the yard waste problem. Council Member Bunting noted that Rehoboth Beach, DE does have a mulching facility but that it requires six (6) months for the new mulch to “cure” before being distributed. Mayor Serio added that the Town will look into it.
- Dick Bowman (7 W Dagsboro St) – advised that the Toys for Tots campaign distributed collected \$8,000 and distributed toys to 3, 552 children over the holiday. He thanked everyone for their efforts.
- Mark Tingle (1605 Coastal Hwy) – asked if preliminary information on the Sidewalk Project is available for the public. Town Manager Abbott noted that there will be a workshop on Saturday, April 2, 2011 from 1-3PM to take comments. Mayor Serio advised that Landmark Engineering is reviewing the Town’s needs. The meeting on April 2 will not be a formal presentation of a plan but will be used to take feed-back from concerned citizens.
- Peter Frederick (1605 Bunting Ave) – asked if the Town was aware that Delmarva Power is cutting trees around its utility lines. Council Member Smallwood advised that those affected by the project were notified by mail; Mayor Serio added that the power company has the authority to trim vegetation that interferes with its power lines and that the power company was diligent in responding to a recent power outage in town. Council Member Carmean advised that they will cooperate with the property owner if they respond to the letter.

Upcoming Events and Meetings:

- Mayor Serio announced all meetings and events.

Motion to Adjourn: Council Member Bunting

Second: Council Member Carmean

All in favor to adjourn (7-0)

Mayor Serio adjourned the meeting at 4:30PM.

Respectfully submitted,

Agnes DiPietrantonio, Town Clerk

For Diane Tingle, Secretary